

## EXHIBIT 2

# Proposed Order

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING	)	
PHARMACY, INC.	)	
PRODUCTS LIABILITY LITIGATION	)	MDL No.:
	)	Dkt. No 1:13-md-2419 (RWZ)
	)	
This Document Relates to:	)	
	)	
Ten (10) Suits Naming the SSC Defendants	)	
Dismissed at Dkt. 3188:	)	
	)	
Cox, No. 1:13-cv-12918;	)	
Dingess, No. 1:13-cv-12490;	)	
Hubbard, No. 1:13-cv-12922;	)	
Jackson, No. 1:13-cv-12923;	)	
Johnson, No. 1:13-cv-12915;	)	
Lapiska, No. 1:13-cv-12914;	)	
Nealon, No. 1:13-cv-12491;	)	
Norris, No. 1:13-cv-12682;	)	
Palmer, No. 1:13-cv-12688;	)	
Reed, No. 1:13-cv-12917	)	

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**ORDER ON THE SSC DEFENDANTS'  
MOTION FOR ASSESSMENT OF LITIGATION COSTS  
AND  
MOTION FOR EXTENSION OF TIME TO FILE BILL OF COSTS**

This matter came before the Court upon the Specialty Surgery Center Defendants' ("SSC Defendants")<sup>1</sup> *Motion for Assessment of Litigation Costs* and *Motion for Extension of Time to File Bill of Costs*. The SSC Defendants' Motions are well-taken and allowed.

The Court rules and orders:

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<sup>1</sup> Specialty Surgery Center, Crossville, PLLC; Kenneth Lister, MD; and Kenneth Lister, MD, PC.

1. The SSC Defendants are the “prevailing party” in the ten (10) cases dismissed at Dkt. 3188. Pursuant to Fed. R. Civ. P. 54(d), the SSC Defendants are entitled to pursue recovery of their costs incurred in defending those ten (10) cases, subject to the discretion of the Court after reviewing and considering the forthcoming Bill of Costs and supporting documents.

2. The SSC Defendants requested a thirty (30)-day extension to file their Bill of Costs and any supporting documentation. The request is allowed, to the extent any time period is running. The SSC Defendants are ordered to file their Bill of Costs and supporting documentation within 30 days of the filing of the Motion for Assessment of Litigation Costs and Motion for Extension of Time to File Bill of Costs.

**IT IS SO ORDERED.**

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DATE

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HONORABLE RYA W. ZOBEL  
SENIOR UNITED STATES DISTRICT JUDGE